

REMARKS

This amendment is in response to the Official Action dated August 18, 2005. Claims 1, 16 and 22 have been amended and Claims 11, 12, 13 and 15 have been cancelled. The application now includes Claims 1 to 10, 14 and 16 to 22 with Claims 1 and 16 being the only independent claims. Favorable reconsideration, in view of the above amendments and accompanying remarks, is respectfully requested.

In paragraph 3 of the Official Action, the Examiner has rejected Claims 1-22 under the provisions of 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,585,089 to Parker. These rejections are respectfully traversed in view of the amendments to the claims.

As amended, Claim 1 now defines the invention as a method for producing a brake shoe adapted for use in a vehicle brake assembly having a brake rotor comprising the steps of: (a) providing a new brake shoe including a friction lining having an outer surface having surface irregularities; (b) applying a liquid binder material to at least a portion of the outer surface of the friction lining of the brake shoe; and (c) applying a coating material having frictional increasing properties to at least a portion of the outer surface of the friction lining of the brake shoe to at least partially fill in the surface irregularities thereof and thereby increase a contact area between the outer surface of the friction lining and an inner cylindrical braking surface of the brake rotor to thereby increase the green static coefficient of friction between the new brake shoe and brake rotor before any burnishing or other contact/wear of the brake shoe and the brake rotor has occurred. As will be discussed below, none of the cited references, alone or in combination, discloses or suggests such a method for producing a brake component as recited in Claim 1.

Specifically, the Parker '089 patent discloses a friction coating for a brake pad and a method for manufacture directed to a "break in" coating applied to brake pads to recondition an associated "used" brake rotor. According to Parker, a highly heat conductive material, such as copper, or other materials of relative consistency or softness, is applied to the brake pad in the manner disclosed in the patent. As a result

of this, during brake application, a protective layer is formed upon the rotor by pressure and heat generated during application of the brake pad to the rotor. Also, grooves, pits or other imperfections on the *rotor surface* are filled in by transfer of the primarily copper powder of the coating. (See col. 1, line 59 to col. 2, line 37) (Emphasis added). As stated in Parker at col. 2, lines 2-5, the “coated brake pads of the present invention are intended primarily for use with used rotors; as new rotors already have a smooth friction surface”. Thus, Parker discloses reconditioning primarily used brake rotors by forming a protective layer onto the surface of a brake rotor by transferring a copper powder coating, which has been applied to a brake shoe, by engaging the rotor with the brake shoes so as to fill in grooves, pits or other imperfections on the *rotor surface*. Therefore, Parker clearly does not disclose or suggest filling in surface irregularities on the outer surface of a *brake shoe*. Thus, Parker clearly does not disclose or suggest a method for producing a brake shoe adapted for use in a vehicle brake assembly having a brake rotor comprising the steps of: (a) providing a new brake shoe including a friction lining having an outer surface having surface irregularities; (b) applying a liquid binder material to at least a portion of the outer surface of the friction lining of the *brake shoe*; and (c) applying a coating material having frictional increasing properties to at least a portion of the outer surface of the friction lining of the *brake shoe* to at least partially fill in the surface irregularities thereof and thereby increase a contact area between the outer surface of the friction lining and an inner cylindrical braking surface of the brake rotor to thereby increase the green static coefficient of friction between the new brake shoe and brake rotor before any burnishing or other contact/wear of the brake shoe and the brake rotor has occurred, as recited in Claim 1 (emphasis added) Accordingly, it is believed that Claim 1, along with dependent Claims 2 to 10 and 14, are patentable over the cited references.

Independent product Claim 16 contains similar limitations to that of method Claim 1. Thus, for those reasons discussed above with respect to Claim 1, it is believed that Claim 16, along with dependent Claims 17-22, are patentable over the cited references.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above remarks and amendments place the application in condition for allowance, or if the Examiner has any comments or suggestions, it is requested that the Examiner contact Applicants' attorney at (419) 255-5900 to discuss the application prior to the issuance of any action in this case by the Examiner.